

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TROY X. KELLEY,

Defendant.

CASE NO. CR15-5198RBL

ORDER ON MOTIONS IN LIMINE

The Court has reviewed the materials filed in support of, and in opposition to, the following motions *in limine* and orders:

1. Docket #129 – Exclude Evidence Regarding Settlement Agreement in *Old Republic v. Kelley*.

DENIED.

2. Docket #130 – Exclude Defendant from Eliciting Evidence Regarding Beisheim.

GRANTED IN PART AND DENIED IN PART.

- The defendant cannot raise any issue about an audit by the IRS of Beisheim, unless Beisheim is called to the stand by the Government;

- The defendant may introduce the e-mails in which Mr. Beisheim described “considerable pressure” coming directly from the U.S. Attorney’s Office, including the U.S. Attorney herself.

3. Docket #132 – Exclude References to Defendant’s Attempt to Seal Pleadings in *Old Republic v. Kelley*.

GRANTED WITHOUT OBJECTION.

4. Docket #134 – Exclude References to Unsigned Draft as “Contract.”

DENIED.

5. Docket #136 – Limit References to “Money Laundering.”

DENIED.

6. Docket #138 – Exclude Evidence Regarding 2005–07 Taxes.

DENIED.

7. Docket #141 – Strike Business Allegations from Counts 11, 14 & 15 and to Exclude Business Expense Evidence Under ER 401, 402, 403 and Renewed Motion for Severance.

DENIED.

8. Docket #145 – Exclude Testimony Regarding Witnesses’ Interpretation of Agreements.

GRANTED WITHOUT OBJECTION.

9. Docket #149 – Exclude References to Belize and Wellington Trust.

DENIED.

10. Docket #151 – Exclude References to Document Production in Civil Cases.

DENIED.

1 11. Docket #155 – Exclude Evidence of Alleged Representation Made to Borrower and
2 Title Companies.

3 **DENIED.**

4 12. Docket #157 – Preclude Improper Examination of Michael Brown.

5 **DENIED.**

6 13. Docket #158 – Exclude Evidence Relating to Class Action Lawsuits.

7 **DENIED.**

8 14. Docket #159 – Exclude Expert Witness Testimony by James Savitt.

9 **RESERVED.**

10 15. Docket #161 – Exclude or Limit Expert Witness Testimony by Mark Schedler.

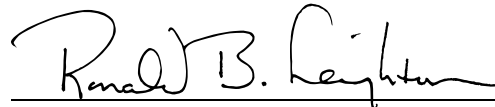
11 **RESERVED.**

12 16. Docket #165 – Exclude Expert Witness Testimony by Joseph Dawson.

13 **RESERVED.**

14 **These expert witnesses (and the government's experts) are subject to an offer of**
15 **proof before testifying. Counsel may base their opening statements on their understanding**
16 **of the facts that will be presented at trial without reference to expert testimony.**

17 Dated this 8th day of March, 2016.

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20 Ronald B. Leighton
21 United States District Judge
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